



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,907	07/11/2003	Robert G. Wiley	61966-036 (SAET-008)	4895

7590 04/09/2004

David M. Mello
McDermott, Will & Emery
28 State Street
Boston, MA 02109

EXAMINER

MEISLIN, DEBRA S

ART UNIT	PAPER NUMBER
----------	--------------

3723

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/617,907	Applicant(s) WILEY, ROBERT G.	
	Examiner Debra S Meislin	Art Unit 3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/02/04</u> | 6) <input type="checkbox"/> Other: ____ |

Art Unit: 3723

1. Claims 4, 9, and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4, "or some combination thereof" is vague and indefinite since the scope cannot be determined.

Claims 9 and 10 are vague and indefinite since the structure cannot be determined due to a lack of showing in the drawings.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the subject matter of claims 9 and 10 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Any specific structure shown in the drawings must be supported by the original disclosure.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Nakajima ('767).

Art Unit: 3723

5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lin ('579).

6. Claim 9 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Korinek et al ('471).

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima or Lin in view of Dai et al ('389).

Nakajima or Lin disclose all of the claimed subject matter except for having a metal wire mesh filter. Dai et al discloses a filter formed of metal wire mesh. It would have been obvious to one having ordinary skill in the art to form the filter of Nakajima or Lin out of metal wire mesh for its known properties and as such would have been an obvious mechanical equivalent as taught by Dai et al.

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima or Lin in view of Pollitt ('276).

Nakajima or Lin disclose all of the claimed subject matter except for having a cleaver. Pollitt discloses a wire stripping system including heated insulation severing elements, wire strippers, and wire cutter jaws/cleaver (96, 97). It would have been obvious to one having ordinary skill in the art to form the system of Nakajima or Lin with

Art Unit: 3723

wire cutters/cleaver to allow for the wire to be cut at a selected location as taught by Pollitt.

10. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima or Lin in view of Vetrano ('856).

Nakajima or Lin disclose all of the claimed subject matter except for having an air source for generating an air burst and heat at about 700 degrees Celsius. Vetrano discloses an air source for generating an air burst and heat at about 700 degrees Celsius. It would have been obvious to one having ordinary skill in the art to form the device of Nakajima or Lin with an air source for generating an air burst to direct the heat to the workpiece as taught by Vetrano. It would have been obvious to one having ordinary skill in the art to form the device of Nakajima or Lin with heat at about 700 degrees Celsius to allow for the fiber to be stripped as taught by Vetrano.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra S Meislin whose telephone number is 703 308-3671. The examiner can normally be reached on M-F, alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 703 308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/617,907

Art Unit: 3723

Page 5

A handwritten signature in black ink, appearing to read 'Debra S Meislin', with a long horizontal flourish extending to the right.

Debra S Meislin
Primary Examiner
Art Unit 3723

April 6, 2004